

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
EBRO FOODS, INC.) Case No. 09-10101
)
Debtor and Debtor in Possession.) Hon. Eugene R. Wedoff

**PACA TRUST BENEFICIARY HARVEST FOOD GROUP, INC.'S OBJECTION TO
THE SECOND APPLICATION FOR INTERIM COMPENSATION FOR
PROFESSIONAL SERVICES AND FOR REIMBURSEMENT OF
EXPENSES OF FORREST L. INGRAM, P.C.**

Harvest Food Group, Inc. (the "PACA Claimant"), hereby objects to the Second Application for Compensation for Professional Services and for Reimbursement of Expenses of Forrest L. Ingram P.C., as all or part of the assets which Debtor's Counsel has requested to be compensated from are not estate assets of Ebro Foods, Inc., (the "Debtor"), but are the trust assets of the PACA Claimant.

PACA Claimant's objection is supported by the attached Memorandum of Law. The basis for PACA Claimant's objection is that the PACA Claimant holds a qualified trust claim against the Debtor, under the Perishable Agricultural Commodities Act, 1930, 7 U.S.C. §§ 499a-499t, as amended (2007 & Supp. 2009) (the "PACA"). Debtor's application to pay its attorney's fees seeks to use assets that are not part of Debtor's estate for the payment of said attorney fees. The use of PACA trust assets, to which PACA Claimant is the beneficiary of, for the payment of Debtor's attorney is an unlawful dissipation of the PACA trust.

WHEREFORE, Debtor's Second Application for Interim Compensation for Professional Services and for Reimbursement of Expenses of Forrest L. Ingram, P.C. should be denied until

PACA Claimant's PACA trust claim is paid in full.

Date: October 25, 2009

Respectfully submitted,

HARVEST FOOD GROUP, INC.

By: /s/ Michael J. Keaton, Esq.
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing was served electronically to all parties on the above-captioned matter through the ECF system at the electronic address on file with the Clerk's Office or by depositing same in the U.S. Mail, postage pre-paid and properly addressed on this day, October 25, 2009.

By: /s/ Michael J. Keaton, Esq. _____

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